

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

HAROLD R. BERK, and ORION
PARTNERS V, LLC

Plaintiffs,

V.

THOMAS A. CLARE, CLARE LOCKE
LLP, ALISON WADLE, HCP PACIFIC
ASSET MANAGEMENT, LLC, HUNT
COMPANIES, INC., STEVEN F.
GRIFFITH, JR., BAKER DONELSON
BEARMAN CALDWELL &
BERKOWITZ, P.C., and HUNT
CAPITAL PARTNERS, LLC

Defendants.

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 : CIVIL ACTION

No. 2:15-cv-00474-JFL

JOINT MOTION TO DISMISS

Plaintiffs Harold R. Berk and Orion Partners V, LLC ("Plaintiffs") and Defendants Thomas A. Clare, Clare Locke LLP, Alison Wadle, HCP Pacific Asset Management, LLC, Hunt Companies, Inc., Steven F. Griffith, Jr., Baker Donelson Bearman Caldwell & Berkowitz, P.C. and Hunt Capital Partners, LLC ("Defendants"), by and through their undersigned counsel, and pursuant to Federal Rule 41(a)(2) and based on an amicable settlement having been reached, jointly move the Court for entry of an Order dismissing all of the claims asserted by Plaintiffs with prejudice and with each party to bear its or his own costs and attorneys' fees.

WHEREFORE, for the foregoing reasons, Plaintiffs and Defendants respectfully request that this Court GRANT their Motion to Dismiss and enter an Order dismissing the entirety of the

claims asserted by Plaintiffs with prejudice, and ordering that the Court retains jurisdiction to enforce the settlement.

November 11, 2015

Respectfully submitted,

s/ David H. Pittinsky

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s/ Harold R. Berk

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ATTORNEY FOR ALL PLAINTIFFS

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ORDER

Considering the foregoing Joint Motion to Dismiss filed by Plaintiffs Harold R. Berk and Orion Partners V, LLC ("Plaintiffs") and Defendants Thomas A. Clare, Clare Locke LLP, Alison Wadle, HCP Pacific Asset Management, LLC, Hunt Companies, Inc., Steven F. Griffith, Jr., Baker Donelson Bearman Caldwell & Berkowitz, P.C. and Hunt Capital Partners, LLC ("Defendants"), by and through their undersigned counsel, and for good cause shown;

IT IS HEREBY ORDERED that the Motion is GRANTED and that all of the claims asserted by Plaintiffs are DISMISSED WITH PREJUDICE, with each party to bear its or his own costs.

IT IS FURTHER ORDERED that the Court retains jurisdiction to enforce the settlement between Plaintiffs and Defendants.

SO ORDERED this _____ day of November, 2015.

UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of November 2015, I electronically filed the foregoing with the Clerk of the Court using the ECF system, which sent notification of such filing to all parties and/or their counsel of record.

s/ David H. Pittinsky
DAVID H. PITTINSKY